

RUMSON ZONING BOARD
SEPTEMBER 18, 2018
MINUTES

The regularly scheduled meeting was called to order at 7:32 pm with a salute to the flag, followed by a roll call of: Chairman Brodsky, Mrs. Kirkpatrick, Mr. Shissias, Mrs. Carras, Mr. Hofferber
Absent: Mr. Duddy, Mr. Blum, Mr. Torcivia, Mr. Lizotte

Also present: Bernard Reilly, Esq., Fred Andre' and State Shorthand Reporting Services.

The notice requirements of the Open Public Meetings Act were stated as being met.

Chairman Brodsky announced the application of Adam and Rebecca Ferranti for property located at 143 Avenue of Two Rivers be presented for the Board's consideration. Mark Aikins, Esquire appearing on behalf of the applicants addressed the Board. Mr. Aikins explained that the applicants are requesting a variance for 236 square feet for maximum floor area. Mr. Aikins introduced James Anderson. Mr. Anderson, a New Jersey licensed architect was sworn in and the Board accepted his credentials. Mr. Anderson explained the architectural details on the project.

Henry Wolf, Esquire representing Michael Alexander, owner of 69 Rumson Road. Mr. Wolf questioned Mr. Anderson on the height of the new residence and the height of the basement. Mr. Anderson responded by saying the main house is 35 feet high and the basement height is yet to be determined, and the proposed garage is 16 feet high.

Mr. Aikins introduced Jason Fichter. Mr. Fichter, a New Jersey licensed planner was sworn in and the Board accepted his credentials. Mr. Fichter described the property and the surrounding area. Mr. Fichter testified that the proposed two-car garage will be 23 and a half feet by 23 and a half feet, which is the minimum size to accommodate two cars. The maximum floor area permitted is 3,500 square feet and 3,736 square feet is proposed and should be considered a de minimis amount. Mr. Fichter feels this is an appropriate development promoting the general welfare. The original plans proposed the construction of a porte-cochere and the proposed two-car garage represents a better alternative than parking vehicles outdoors in a location that visible from the street. It also provides more indoor storage and is designed consistently with the new home and neighborhood. The granting of this variance will cause no substantial detriment to the public good, nor will impair the intent and purpose of the zone plan. The benefits of the application would substantially outweigh its detriments, if any.

After Board questions and comments, Chairman Brodsky opened the application to the public for questions and/or comments. Denise Dobken residing at 75 Rumson Road was sworn in and expressed her concerns with the consistency of the look of neighborhood, and size of the structure being proposed on the property.

There being no further public comments and/or questions, Chairman Brodsky closed the public portion. Chairman Brodsky asked the pleasure of the Board. Mr. Hofferber made a motion to approve the application; Seconded by Mrs. Carras.

Roll call vote:

Ayes: Chairman Brodsky, Mrs. Kirkpatrick, Mr. Shissias, Mrs. Carras, Mr. Hofferber

Nays: None.

Chairman Brodsky announced the application of Mark and Patti Casazza for property located at 58 Ridge Road be presented to the Board. James J. Addonizio, Esquire represented the applicants addressed the Board. Mr. Addonizio stated that the application is to remove the existing detached garage, covered front porch and rear deck; and to construct a new covered front porch, new one-car attached garage with living space above, new driveway, new rear patio and mudroom. Mr. Addonizio introduced Robert W. Adler, Jr. Mr. Adler, a New Jersey licensed architect, was sworn in and the Board accepted his credentials.

Mr. Adler submitted a satellite photograph, which was marked A-1 in evidence. Mr. Adler described the existing and proposed conditions of the property, the architectural details and elevations of the proposal.

Board Members expressed their concerns with the side setbacks being proposed, the look and feel of the front façade of the proposal and suggested the plans could be revised to come closer to eight feet on the side setback and revisit the windows on the addition.

Chairman Brodsky opened the application for public comments and/or questions. Terese and Francis Davis residing at 60 Ridge Road were sworn in. Mr. and Mrs. Davis stated that they're in support of the project.

Mark Casazza, property owner was sworn in. Mr. Casazza stated the project is intended to accommodate his family's needs. The detached garage is an eyesore and needs to be removed.

The applicants agree to submit revised plans for the Board's review and approval.

After further Board discussion, Mr. Shissias made a motion to approve the application subject to the suggested revisions; Seconded by Mrs. Carras.

Roll call vote:

Ayes: Chairman Brodsky, Mrs. Kirkpatrick, Mr. Shissias, Mrs. Carras, Mr. Hofferber

Nays: None

Chairman Brodsky announced the continued application of Ray and Filomena Gogel for property located at 14 Wilson Circle be presented to the Board. Mr. Reilly recused himself from this application and Richard C. Leahey, Esquire takes his seat as Board Attorney.

Mr. Leahey advised the Board that the objector's attorney, Alexis Gasiorowski, Esquire has raised an issue with the incorrect address listed in the published notice of hearing, i.e. 14 Wilson Avenue instead

of 14 Wilson Circle. Mr. Leahey stated that there was sufficient descriptive information provided in the notice and in the mailings identifying the property by Block and Lot, that any reasonable person wishing to attend this hearing would have had sufficient notice that this hearing was to take place this evening and the objection has been placed on the record.

Ms. Gasiorowski representing the objectors, Thomas and Jennifer Mullins, stated her objection citing the Perlmart decision.

Lawrence W. Luttrell, Esquire, representing the applicants addressed the Board. Mr. Luttrell advised the Board and the public that he will be providing a transcript of the proceedings this evening and that all of his witnesses will be available at the next hearing for any cross-examination necessary.

Mr. Luttrell recalled Michael James Monroe, a New Jersey licensed architect. Mr. Monroe was sworn in and continued to testify. Mr. Monroe submitted the following exhibits for the Board's review: A-20 Revised Architectural Plans dated September 7, 2018; A-21 Plot Plan revised through September 7, 2018; A-22 10 photographs; A-23 Colored rendering.

Mr. Monroe described all the architectural revisions that were made to the plans.

Mr. Luttrell introduced Stuart C. Challoner, a New Jersey licensed engineer. Mr. Challoner was sworn in and the Board accepted his credentials. Mr. Challoner submitted A-24 Existing Conditions, A-25 SID image of the subject property and surrounding properties, and A-26 7 Aerial Photographs for the Board's review.

Mr. Challoner described the engineering, grading and drainage details of the proposal. Mr. Challoner also described the surrounding properties.

Mr. Luttrell introduced Christine Nazzaro-Cofone, a New Jersey licensed planner, Ms. Cofone was sworn in and the Board accepted her credentials.

Ms. Cofone testified that she visited the subject property several times and reviewed the Borough of Rumson's zoning ordinance. She stated that seven of the eight variances being requested exist on the property today in some format. The only variance being introduced is for maximum building coverage where 3,409 square feet is permitted and 3,555 square feet is being proposed. Ms. Cofone listed the criteria under the Land Use Law with which the Board can grant the variances being requested. Ms. Cofone also stated that the grant of the variances will have no substantial detriment to either the public good or the zone plan.

After further Board discussion, Chairman Brodsky opened the application for public comments and/or questions. Dr. Michael Risin residing at 18 Wilson Circle was sworn in. Dr. Risin questioned the grading, drainage and elevations of the proposal.

Chairman Brodsky announced that the application will be carried to the October 16, 2018 meeting with notice being required.

Mr. Reilly resumes his seat as the Board Attorney.

Mr. Reilly presented the Resolution approving the application of Frank and Toniann Buscarnera for property located at 63 Lafayette Street for the Board's consideration. After Board discussion and review, Mrs. Carras made a Motion to approve the Resolution as drafted; Seconded by Mr. Shissias

Roll call vote:

Ayes: Chairman Brodsky, Mrs. Kirkpatrick, Mr. Shissias, Mrs. Carras, Mr. Hofferber

Nays: None

Mr. Reilly presented the Resolution approving the application of Evan and Kara Curatolo for property located at 3 Woods End Drive for the Board's consideration. After Board review and discussion Mr. Hofferber made a Motion to approve the Resolution as drafted; Seconded by Shissias.

Roll call vote:

Ayes: Chairman Brodsky, Mrs. Kirkpatrick, Mr. Shissias, Mrs. Carras, Mr. Hofferber

Nays: None

Chairman Brodsky asked for comments on the August 21, 2018 Minutes. Mr. Shissias made a motion to approve the Minutes as submitted; Seconded by Mr. Hofferber. By voice vote the August 21, 2018 Minutes were approved.

There being no further business before the Board, the meeting is adjourned at 10:40 p.m.

The next scheduled meeting will be October 16, 2018 at 7:30 p.m.

Respectfully submitted,
Michele MacPherson